

REMARKS

The foregoing amendment does not attempt to introduce new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated September 22, 2004 has been received and considered by the Applicants. Claims 1-10 are pending in the present application for invention. Claims 1-10 stand rejected by the September 22, 2004 Office Action.

The Examiner states that no Form PTO-1449 was submitted with the Information Disclosure Statement filed on October 20, 2000. The Applicant, respectfully, disagree. A Form PTO-1449 was filed with the Information Disclosure Statement. In fact a copy of the PTO Form -1449 is included with the Office Action mailed September 22, 2004. Therefore, the Applicants do not understand this statement.

The drawings are objected to because Figures 2, 3, and 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. Redlined drawings are submitted with this response that correct the legends mentioned by the Examiner in the Office Action.

The Office Action rejects Claims 1, 6, and 10 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Lawlor and Fagan, "Time-Scale Modification of Speech by Zero-Crossing Rate Overla-Add (ZCR-OLA)", Acoustics, Speech, and Signal Processing, IEEE Int. Conf., by B. Lawlor and A. Fagan (hereinafter, referred to as Lawlor et al.) in view of U.S. Patent No. 6,092,040 issued to Voran (hereinafter referred to as Voran).

Regarding Claim 1, the Examiner states that Lawlor et al. teach a method of time-scale modification as defined by rejected Claim 1 except for the recited profiling procedure that reduces the specification of the respective audio frame portions to respective finite arrays of values, and the cross correlation is then performed in relation only to the pair of finite arrays of values. The Examiner further states that Voran teaches a profiling procedure at col. 7, lines 34-55 that reduces the specification of the respective audio frame portions. The Examiner's position is that and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to

incorporate the algorithm of Voran with the process of Lawlor et al. for purpose of providing perceptually consistent comparison of speech signals, as suggested by Voran in column 1, lines 21-22. The Applicants would like to, respectfully, point out that the purpose of the present invention is directed towards reducing computational overhead and costs. The foregoing amendment to the claims has modified Claim 1 to clearly distinguish the present invention from the cited references. Claim 1, after amendment, recites that the array of values is contain less than 128 values. The Applicants respectfully assert that there is no disclosure or suggestion within either Voran or Lawlor et al. for a profiling procedure that reduces the specification of the respective audio frame portions to finite arrays of less than 128 values. The Applicants, respectfully, point out that Voran at col. 7, lines 34-55 teaches Discrete Fourier Transforms and Fast Fourier Transforms that result in complex numbers. These transforms are computationally intensive and in fact teach away form the subject matter defined by amended Claim 1 for respective audio frame portions to respective finite arrays of containing less than 128 values. Accordingly, amended Claim 1 is believed to allowable over the combination of Voran with Lawlor et al.

The remaining claims depend from and further define Claim 1. Therefore, these claim are also believed to be allowable.

The Office Action rejects Claims 3-5, and 7-9 under the provisions of 35 U.S.C. §103(a) as being unpatentable over under the provisions of 35 U.S.C. §103(a) as being obvious over Lawlor et al. (discussed above), with Voran (also discussed above) and further in view of U.S. Patent No. 6,266,003 issued to Hoek (hereinafter referred to as Hoek). The Applicants, respectfully, assert that this rejection is moot in view of the above-discussed amendment to Claim 1.

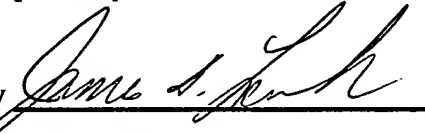
The Office Action objects to Claims 1-10 because of the following informalities: there are no transitional phrases in Claims 1-9. The Examiner states that for purposes of examining, the Examiner assumes that Claims 1-9 are open-ended claims. The Examiner Claim 1 has have been rewritten to overcome the informalities stated by the Examiner. Claims 2-9 depend from Claim1. Claim 1-10 are now believed to be in condition for allowance.

The foregoing amendment add new claims 11-20 that are of similar scope to Claims 1-9. Therefore, new Claims 11-20 are believed to be allowable for the reasons stated above.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

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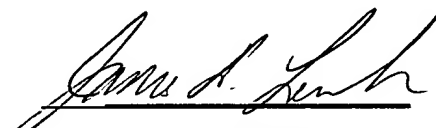
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on: January 22, 2005

(Mailing Date)

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